

Notice of Allowability

Application No.

10/780,745

Examiner

Kabir A. Timory

Applicant(s)

JAENECKE ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/2007.

2. ☒ The allowed claim(s) is/are 1, 2, 4 and 12-15.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☒ SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☒ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1/18/2008.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

DETAILED ACTION

1. Acknowledgement is made of the amendment received on 11/13/2007.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephonic interview with Mark C. Davis on January 18, 2008.

The application has been amended as follows:

In claims:

- (1) In claim 1, line 4; insert **--being above a clipping threshold--** between **"signal"** and **"into"**.
- (2) In claim 1, line 7; insert **--of the signal being above a clipping threshold --between "portion" and "using"**.
- (3) In claim 1, line 9; insert **--of the signal being above a clipping threshold--** between **"portion"** and **"is"**.

- (4) In claim 1, line 10; insert **--of the signal being above a clipping threshold--** between **"portion"** and **"of"**.
- (5) In claim 1, line 18; insert **--being above a clipping threshold--** at the end of the sentence.
- (6) Cancel claim 11.
- (7) In claim 12, line 4; insert **--of the signal being above a clipping threshold level--** between **"portion"** and **"of"**.
- (8) In claim 12, line 6; insert **--of the signal being above a clipping threshold level--** between **"portion"** and **","**.
- (9) In claim 12, line 7; insert **--of the signal being above a clipping threshold level--** between **"portion"** and **"using"**.
- (10) In claim 12, line 8; insert **--of the signal being above a clipping threshold level--** between **"portion"** and **"is"**.
- (11) In claim 12, line 9; insert **--of the signal being above a clipping threshold level--** between **"portion"** and **"of"**.

Allowable Subject Matter

- 3. Claims 1, 3, 4, 12-15 are allowed.
- 4. The following is a statement of reasons for allowable subject matter:

The prior art of record, Morris et al. (US 2004/0203430) does not teach or

suggest performing soft-clippings of the portion of the signal being above a clipping threshold by using a scaled reference function which is subtracted from each of the elementary functions into which the portion of the signal being above a clipping threshold is decomposed and such that the subtracted elementary functions reduce a peak power of said portion of the signal being above a clipping threshold of the signal to be transmitted, wherein positions for subtracting the scaled reference function from each of the elementary functions and the scaling of the reference function are given respectively by a position of a maximum and an amplitude at the maximum of the corresponding elementary function.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kabir A. Timory whose telephone number is 571-270-1674. The examiner can normally be reached on 6:30 AM - 3:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

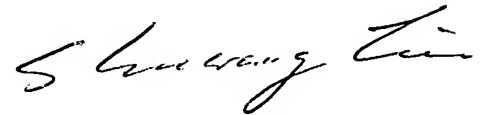
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kabir A. Timory
January 07, 2008

A handwritten signature in black ink, appearing to read "Shuwang Liu". The signature is fluid and cursive, with the first letter of the first name being a large, stylized 'S'.

SHUWANG LIU
SUPERVISORY PATENT EXAMINER